

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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GLENN JASON HEGGIE,

Plaintiff,

v.

MICHIGAN DEPARTMENT  
OF CORRECTIONS, *et al.*,

Defendants.

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Case No. 1:07-CV-1024

Hon. Richard Alan Enslen

**ORDER**

Plaintiff Glenn Jason Heggie has filed a letter appeal of United States Magistrate Judge Ellen S. Carmody's Order Regarding Service of December 14, 2007 and her subsequent Order denying reconsideration. These Orders are non-dispositive and are reviewed to determine whether they are "clearly erroneous or contrary to law." *See* 28 U.S.C. § 636(b)(1)(A).

These Orders are not clearly erroneous or contrary to law in that they simply enforce existing court procedures, including Western District of Michigan Local Civil Rule 10.4 and Administrative Order No. 03-029. With that said, however, Plaintiff's letter appeal does set forth a sufficient basis under Federal Rule of Civil Procedure 6(b) for extension of the deadline established by the December 14, 2007 Order. Plaintiff has attempted to comply with the Order, but has been frustrated by prison staff's operation of the call-out process. It is important to accommodate these interests in order to provide Plaintiff with open and fair access to the federal courts. As such, Plaintiff's letter-appeal will be granted to the extent that he will given an extension of 30 days from this Order to complete copying of the papers and return them to the Clerk for service.

**THEREFORE, IT IS HEREBY ORDERED** that Plaintiff Glenn Jason Heggie's letter appeal (Dkt. No. 12) is **GRANTED** to the extent that the deadline for returning copies of his Complaint to the Clerk for service is **EXTENDED** until 30 days from the issuance of this Order, but the letter appeal is otherwise **DENIED**.

DATED in Kalamazoo, MI:  
February 8, 2008

/s/ Richard Alan Enslen  
RICHARD ALAN ENSLEN  
SENIOR UNITED STATES DISTRICT JUDGE